

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE: TERRORIST ATTACKS ON :
SEPTEMBER 11, 2001 : **03-MDL-1570 (GBD)(SN)**

This Document Relates To:

Ashton, et al. v. al Qaeda Islamic Army, et al., Case No. 02-cv-6977 (GBD)(SN)

Bauer, et al. v. al Qaeda Islamic Army, et al., Case No. 1:02-cv-07236

**CERTAIN PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT
JUDGMENT AGAINST THE TALIBAN AND MUHAMMAD OMAR**

Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, Patricia Ryan, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, Katherine Maher, Daniel R. Maher, and Joseph F. Maher, by and through counsel, hereby move for Final Default Judgment against the Taliban and former leader of the Taliban, Muhammad Omar, in the amounts previously established, found, and entered as conscious pain and suffering damages and economic damages or solatium damages, and, for some, punitive damages, in favor of said Plaintiffs against other defendants in this action, except for Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, and Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, for which damages were found and entered in the case of *Ryan, et al. v. Islamic Republic of Iran, et al.*, MDL Doc. Nos. MDL Doc. Nos. 7489-7491, 7516-7518, and 7595. All are reflected on Exhibit A and Exhibit B.

Said Plaintiffs also seek an award of pre-judgment interest at the rate of 4.96 percent, compounded annually, from the period from September 11, 2001, until the date of the judgment for damages.

Said Plaintiffs further seek permission to file a future request for an award of punitive damages, and other appropriate damages at a later date.

In support of this motion, said Plaintiffs adopt and incorporate the motions, memoranda, declarations, and exhibits filed by other *Bauer* plaintiffs in this action at MDL Doc. Nos. MDL Doc. Nos. 7516-7518 in support of such other *Bauer* plaintiffs' Motions for Default Judgment against the Taliban and former leader of the Taliban, Muhammad Omar.

Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, Patricia Ryan, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, Katherine Maher, Daniel R. Maher, and Joseph F. Maher, so move on the grounds that the Complaint and/or Amended Complaints in this action, as well as matters such as service, defaults, and damages findings, were filed, entered, or occurred in favor of said Plaintiffs at times when said Plaintiffs were represented by *Bauer* plaintiffs' counsel who filed the papers at MDL Doc. Nos. MDL Doc. Nos. 7516 through 7518, except the damages findings for Plaintiffs Patricia Ryan, Personal Representative of the Estate of John J. Ryan, Deceased, and Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, which were found and entered in the case of *Ryan, et al. v. Islamic Republic of Iran, et al.*, Ryan Doc. No. 10.

Said Plaintiffs are now represented by the undersigned counsel, who entered as substitute counsel on September 20, 2019, by order of this Court on November 16, 2019. See MDL Doc. Nos. 5164 and 5312.

The facts, and all actions taken by said Plaintiffs' prior counsel, as detailed in the motion, memoranda, supporting declarations, and exhibits at MDL Doc. Nos. 7516-7518, support the entry of Default Judgments in favor of said Plaintiffs Patricia Ryan, Personal Representative of

the Estate of John J. Ryan, Deceased, Patricia Ryan, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, Personal Representative of the Estate of Daniel L. Maher, Deceased, Katherine Maher, Daniel R. Maher, and Joseph F. Maher against the Taliban and Muhammad Omar exactly as they do the other *Bauer* plaintiffs subject to the motion and supporting papers filed at MDL Doc. Nos. MDL Doc. Nos. 7516-7518.

The Plaintiffs for whom such default judgments are requested are listed in Exhibit A and Exhibit B hereto, together with the conscious pain and suffering damages and economic damages or solatium damages, and, for some, punitive damages, findings previously entered.

CONCLUSION

For the foregoing reasons, Plaintiffs Patricia Ryan, Kristen Ryan, Laura Ryan, Colin Ryan, Katherine Maher, Daniel R. Maher, and Joseph F. Maher request that this Court grant Plaintiffs' request for entry of Final Judgment against Defendants the Taliban and Muhammad Omar.

Date: February 1, 2022

Respectfully Submitted,

/s/ Dennis G. Pantazis

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